

1 THE HONORABLE JOHN C. COUGHENOUR
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7 IN THE UNITED STATES DISTRICT COURT
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WESTERN DISTRICT OF WASHINGTON

VALERIE SAMPSON and DAVID RAYMOND, on
their own behalf and on the behalf of all
others similarly situated,

Plaintiffs,

v.

KNIGHT TRANSPORTATION, INC., an Arizona
corporation, KNIGHT REFRIGERATED, LLC, an
Arizona limited liability company, and KNIGHT
PORT SERVICES, LLC, an Arizona limited liability
company,

Defendants.

Case No. 2:17-cv-00028-JCC

**[PROPOSED] ORDER GRANTING
PLAINTIFFS' MOTION FOR FINAL
APPROVAL**

Plaintiffs' Motion for Final Approval of Class Action Settlement (ECF No.198) and

Plaintiffs' Motion for Approval of Class Representative Stipends and Attorney Fees and Costs
(ECF No. 193) came before this Court on a hearing on April 4, 2023. The above captioned Action
is a class action lawsuit brought by Plaintiffs Valerie Sampson and David Raymond ("Plaintiffs")
against Knight Transportation, Inc., Knight Refrigerated, LLC, and Knight Port Services, LLC
("Knight" or "Defendants") (collectively the "Parties"). Plaintiffs allege that Knight willfully failed
to pay Plaintiffs and a certified Class of employee drivers ("Class") for wage and hour abuses in
violation of Washington law. Knight denies any and all wrongdoing, and denies any liability to
the Plaintiffs or to members of the Class.

[PROPOSED] ORDER GRANTING PLAINTIFFS'
MOTION FOR FINAL APPROVAL - 1
Case No. 2:17-cv-00028-JCC

TERRELL MARSHALL LAW GROUP PLLC
936 North 34th Street, Suite 300
Seattle, Washington 98103-8869
TEL. 206.816.6603 • FAX 206.319.5450
www.terrellmarshall.com

1 On November 8, 2022, this Court entered an Order Granting Preliminary Approval of
2 Settlement. That Order directed the Settlement Administrator to provide Notice to the Class,
3 which informed Class members of: (a) the proposed Settlement, and the Settlement's key
4 terms; (b) the date, time, and location of the Final Approval Hearing; and (c) the right of any
5 Class Member to object to the proposed Settlement, and an explanation of the procedures to
6 exercise those rights.

7 The Court, upon Notice having been given as required in the Preliminary Approval
8 Order, and having considered the proposed Settlement Agreement, as well as all papers filed,
9 hereby ORDERS, ADJUDGES AND DECREES AS FOLLOWS:

10 1. This Court has jurisdiction over this matter and over all Parties, including all
11 members of the Settlement Class.

12 2. This Court confirms the proposed Settlement Class satisfies the requirements of
13 Fed. R. Civ. P. 23, as found in the Court's Order Granting Class Certification (ECF No. 117) and
14 finds that the Settlement Class is properly certified as a class for settlement purposes.

15 3. The Notice provided to the Settlement Class conforms with the requirements of
16 Fed. R. Civ. P. 23, the Washington and United States Constitutions, and any other applicable
17 law, and constitutes the best notice practicable under the circumstances, by providing
18 individual notice to all Class Members who could be identified through reasonable effort, and
19 by providing due and adequate notice of the proceedings and of the matters set forth therein
20 to the other Class Members. The Notice fully satisfied the requirements of due process.

21 4. The Court finds that the Settlement was entered into in good faith as the result
22 of arm's-length negotiations between experienced attorneys, that the Settlement is fair,
23 reasonable, and adequate, and that the Settlement satisfies the standards and applicable
24 requirements for final approval of this class action Settlement under Washington law and the
25 provisions of Fed. R. Civ. P. 23.

26 5. No Class Member has objected.

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[PROPOSED] ORDER GRANTING PLAINTIFFS'
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1 6. Upon entry of this Order, compensation to the members of the Settlement Class
2 shall be effected pursuant to the terms of the Settlement Agreement.

3 7. In addition to any recovery that Plaintiffs may receive under the Settlement, and
4 in recognition of the Plaintiffs' efforts on behalf of the Settlement Class, the Court hereby
5 approves the payment of service awards to the Plaintiffs, in the amount of \$5,000 each, to be
6 paid pursuant to the terms of the Settlement Agreement.

7 8. The Court approves payment not to exceed \$12,000 to the Settlement
8 Administrator for their fees and costs to administer the Settlement.

9 9. The Court approves the payment of attorneys' fees to Class Counsel in the sum
10 of \$112,500. This amount reflects the 25% benchmark amount of the common fund and is also
11 supported by the lodestar analysis. The Court also approves the payment of \$65,545.82 to Class
12 Counsel to reimburse them for litigation costs and expenses they incurred. The attorneys' fees
13 and costs awards shall be distributed to Class Counsel in accordance with the terms of the
14 Settlement Agreement.

15 10. Upon the date on which this order is entered (the "Effective Date"), the Plaintiffs
16 and all members of the Settlement Class, shall have, by operation of this Order and the
17 accompanying Judgment, fully, finally and forever released, relinquished, and discharged Knight
18 from all claims as defined by the terms of the Settlement. Upon the Effective Date, all members
19 of the Settlement Class shall be and are hereby permanently barred and enjoined from the
20 institution or prosecution of any and all of the claims released under the terms of the
21 Settlement.

22 11. This Court hereby dismisses this action with prejudice as to all Settlement Class
23 Members except those who have timely and properly excluded themselves from the Settlement
24 Class. Individuals who have timely and properly excluded themselves from the Class and are
25 thus not bound by this Judgment are listed on Exhibit A, which is attached to this order.

1 12. Pursuant to the Settlement Agreement, this Order shall constitute a dismissal of
2 this action on the merits with prejudice with respect to Defendants, without fees or costs to
3 any party except as provided in the Settlement Agreement and approved by the Court.

4 13. Without affecting the finality of this Final Approval Order and Judgment for the
5 purposes of appeal, this Court shall retain jurisdiction to all matters relating to administration,
6 consummation, enforcement, and interpretation of the Settlement Agreement and the Final
7 Approval Order, and for any other necessary purpose.

8 THEREFORE, the Clerk of the Court is HEREBY ORDERED to enter this Final Order of
9 Judgment and Dismissal with Prejudice.

10 IT IS SO ORDERED.

11 DATED this Fourth day of April, 2023.

John C. Coyner, Jr.

THE HONORABLE JOHN C. COUGHENOUR

[PROPOSED] ORDER GRANTING PLAINTIFFS' MOTION FOR FINAL APPROVAL - 4
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